

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JANINE WEATHINGTON,

Plaintiff,

v.

CITY OF DETROIT, *et. al.*,

Defendants.

Case No. 12-13573

Honorable John Corbett O'Meara

**ORDER ADOPTING MAGISTRATE JUDGE HLUCHANIUK'S MAY 22, 2015
REPORT AND RECOMMENDATION**

The court, pursuant to Rule 72(b) of the Federal Rules of Civil Procedure, 28 U.S.C. § 636(b)(1)(B), and LR 72.1(E.D. Mich. March 1, 2010), has reviewed Magistrate Judge Hluchaniuk's May 22, 2015 report and recommendation. No objections were filed. After conducting a *de novo* review, the court accepts the magistrate judge's report and recommendation as the court's findings and conclusions.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Hluchaniuk's May 22, 2015 report and recommendation is **ADOPTED**.

It is further **ORDERED** that Defendants' motion (Dkt. 62), construed as an unenumerated Rule 12 (b) motion to dismiss, is **GRANTED**.

It is further **ORDERED** that Plaintiff **IS GIVEN** 30 days from the date of this order to amend the complaint and substitute a new class representative. If this cannot be accomplished, the amended complaint will be dismissed without prejudice for failure to exhaust administrative remedies.

s/John Corbett O'Meara
United States District Judge

Date: June 17, 2015

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, June 17, 2015, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager